

San Jose/Santa Clara Water Pollution Control Plant

SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY PROJECT – EARLY EARTHWORK

Bid Documents

Bid Opening

3:00 PM

Thursday,

February 25, 2010

Bidder: O.C. Jones & Sons, Inc.

PROPOSAL TO CITY OF SAN JOSE

FOR

South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork

Name of Bidder: O.C. Jones & Sons, Inc.

The representations herein are made under penalty of perjury.

To: The City of San Jose, State of California

The undersigned, as bidder, declares that the only person or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm or corporation; that the bidder has thoroughly read and examined and has full knowledge of and understands all the provisions and contents of this proposal and the documents which must be attached hereto, the Plans approved by the Director of Environmental Services Department on 1/22/10, entitled South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork and the Specifications approved by the Director of Environmental Services Department on 1/28/10, entitled South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork on file in the office of CIP Engineering, San Jose/Santa Clara Water Pollution Control Plant, Environmental Services Department, San Jose, California; that the bidder has thoroughly examined said Plans and Specifications which are on file in the office of CIP Engineering, San Jose/Santa Clara Water Pollution Control Plant, Environmental Services Department, and that the bidder has full knowledge of and understands said Plans and Specifications and the requirements thereof; and that the bidder has further read and understands, and has knowledge of the contents of any and all addenda to said Plans and Specifications on file; and that the bidder proposes and agrees, if this proposal is accepted, that the bidder will contract with the City of San Jose, in the form of the copy of the contract on file in the office of CIP Engineering, San Jose/Santa Clara Water Pollution Control Plant, Environmental Services Department, to do all the work and furnish all materials specified or referred to in the contract, in the manner and time therein prescribed, and according to the requirements of the City or Director of Environmental Services Department as therein set forth, to furnish the contract, bonds and insurance specified in the Specifications, and to do all other things required of the Contractor by the contract; and will take in full payment therefor the following price or unit prices as shown in the Schedule of Quantities on Page 2.

If the bidder or other interested persons is a corporation, state legal name of corporation, also names of the President, Secretary, Treasurer, and the Manager thereof; if a partnership, state the name of the partnership, if one exists, also the names of all the partners comprising the partnership; if any of the partners are individuals, state the first and last name of every individual in full, if any of the partners are corporations, state for each such corporation, the information required above of corporations; if any of the partners are partnerships, state for each such partnership the information required above of partners; if the bidder or other interested person is a joint-venture, state the name of the joint venture, also names of all joint venturers comprising the joint venture; if any of the joint venturers are individuals, state the first and last name of every individual comprising the joint venture; if any of the joint venturers are corporations, state for each corporation the information required above of corporations; if any of the joint venturers are partnerships, state for each such partnership, the information required above of partners; if bidder or other interested persons is an individual, state first and last names in full.

If bidder is an individual, the bidder's signature shall be placed below; if bidder is an individual, doing business under a fictitious name, the name of the individual followed by the words "doing business under (insert the fictitious name)" shall be set forth above, together with the signature of the individual; if bidder is a corporation, the legal name of the corporation shall be set forth above, together with the signature of the officer or officers of the corporation, authorized to sign contracts on behalf of the corporation, the corporate title; that is Vice-President, Secretary, etc., should be placed below the name

**BREAKDOWN OF QUANTITIES / PRICE BREAKDOWNS
FOR**

South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork

PART A: BID ITEMS

Bid Item	Item	Estimated Quantity	Unit Price (In Figures)	Total Price (In Figures)
1	Mobilization	Lump Sum	N/A	\$ 37,070.-
2	Demobilization	Lump Sum	N/A	\$ 27,205.-
3A	Off-site disposal of excess excavated soil at the City's Residual Solids Management (RSM) facility	Lump Sum	N/A	\$ 28,900.-
4	Compacted earthfill for surcharge fill (above El. 12.5 - 13.4)	Lump Sum	N/A	\$ 100,000.-
5	Compacted earthfill, other than surcharge fill	Lump Sum	N/A	\$ 335,000.-
6	Balance of Work Items	Lump Sum	N/A	\$ 118,000.-
TOTAL OF BID ITEMS (PART A)				\$ 714,255.-

PART B: SUPPLEMENTAL BID ITEM

This bid item may or may not be required, and may be deleted entirely, by deductive change order, at the sole discretion of the City.

Bid Item	Item	Estimated Quantity	Unit Price (In Figures)	Total Price (In Figures)
3B	Additional cost of off-site disposal of excess excavated soil at a disposal site provided by the Contractor	Lump Sum	N/A	\$ 190,000.-
TOTAL SUPPLEMENTAL BID ITEM (PART B)				\$ 190,000.-

TOTAL BID AMOUNT (PART A + PART B) IN FIGURES: 904,255.-

TOTAL BID AMOUNT (PART A + PART B) IN WORDS: NINE HUNDRED ⁶⁵FOUR THOUSAND TWO HUNDRED FIFTY FIVE DOLLARS

The total bid amount shall be the sum of Total of Bid Items (Part A) and the Total Supplemental Bid (Part B) and will be used to determine the lowest bid price. The bid shall include all State, Federal, and other taxes applicable to the project and shall be firm offer for a period of 120 days after bid opening.

BIDDER: O.C. Jones & Sons, Inc.

Company

Greg Souder
Greg Souder, Signature
Secretary

Page 2 of 3

of the officer and the corporate seal affixed; if bidder is a partnership, the legal name of the partnership, if one exists, shall be set forth above, together with the signature of the partner or partners authorize to sign contracts on behalf of the partnership; if any of the partners are corporations, execution for such partners shall be accomplished in accordance with the requirements set forth above for corporations; if any of the partners are partnerships, execution for such partners shall be accomplished in accordance with the requirements set forth above for partnership; if bidder is a joint-venture, the legal name of the joint venture, if one exists, shall be set forth above for partnerships. If signature is by an agent other than an officer of a corporation, or member of a partnership or a joint venture, a Power of Attorney must be on file with the City Clerk prior to opening bids or submitted with the bid; otherwise, the bid may, at the City's option, be disregarded as non-responsive.

If this proposal shall be accepted and the undersigned shall fail to contract, and to give the Contractor's Bond For Faithful Performance and the Contractor's Payment Bond required by the specifications and contract and by law, and to provide all insurance as required by said contract, within eight (8) days after the bidder has received notice from the City of San Jose, the City may, at its option, determine that the bidder has abandoned his/her contract, and thereupon this proposal and the acceptance thereof shall be null and void, and the forfeiture of such security accompanying this proposal shall operate and the same shall be the property of the City of San Jose.

In accordance with Public Contract Code Section 10232, the Contractor, hereby states under penalty of perjury, that no more than one final unappealable finding on contempt of court by a federal court has been issued against the Contractor within the immediately preceding two year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board. Signing this Proposal on the signature portion thereof shall constitute signature of this Statement.

Accompanying this proposal are the following documents completely filled in by the bidder and the same are incorporated herein by reference;

1. Cash, a cashier's check or a certified check made payable to City, or a bidder's bond executed by an admitted surety insurer naming the City as beneficiary, in an amount equal to at least ten percent (10%) of the total amount bid including all alternatives.
2. A list of subcontractors for work over one half of one percent, if any, the address of each subcontractor and the description of work to be done by each subcontractor.
3. A statement of financial responsibility, technical ability, and experience if such information is not already on file with the City.

City may at its option, request additional supplemental information after bid opening.

Bidder understands that the City reserves the right to reject any or all bids and to waive any informalities in the bidding.

The undersigned, as bidder, declares that in listing subcontractors in this bid, I have not discriminated or given any preference to any firm based on race, sex, color, age, religion, sexual orientation, actual or perceived gender identity, disability, ethnicity, or national origin. I understand that any such discrimination or preference is in violation of Chapter 4.08 of the Municipal Code.

Execution of the Non-Collusion Affidavit constitutes execution of this Bid Proposal including the above statement of nondiscrimination and, with the exception of the Bidder's Bond or Addenda, if any, no other signatures will be required

O. C. Jones & Sons, Inc.
A California Corporation

Company Officers

2009

Kelly Kolander

President & CEO

Robert A. Layne

**Vice President /
Operations Manager**

Greg Souder

Secretary

Elizabeth Yoshida

Treasurer

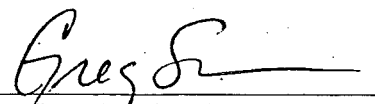
RESOLUTION OF THE BOARD OF DIRECTORS
of
O. C. JONES & SONS, INC.

RESOLVED, that any one of the following officers, President, Vice President, Treasurer, Secretary or Contracts Officer, of this corporation be and they are hereby authorized and empowered for and on behalf of and in the name of this Corporation and as its corporate act and deed: to perform all acts and to execute and deliver all documents necessary or convenient to any bidding, contracting, or negotiating, public or private, whatsoever.

CERTIFICATION BY SECRETARY
of
O. C. JONES & SONS, INC.

I, Greg Souder, Secretary of O. C. Jones & Sons, Inc., a corporation created and existing under the laws of the State of California, do hereby certify and declare the foregoing is a full, true and correct copy of the Resolution duly passed and accepted by the Board of Directors of said Corporation at a meeting of said Board duly and regularly called and noticed and held on October 29, 2008, at which meeting a quorum of the Board of Directors was present and voted in favor of the Resolution; said Resolution is now in full force and effect; there is no provision in the Articles of Incorporation or Bylaws of said Corporation, or any shareholder agreement, limiting the power of the Board of Directors of said Corporation to pass the foregoing resolution and that said Resolution is in conformity with the provisions of such Articles of Incorporation and Bylaws; and that no approval by the shareholders of, or the outstanding shares of, said Corporation is required with respect to the matters which are the subject of the foregoing Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand as of 3-27-09.


Greg Souder, Secretary

NONCOLLUSION AFFIDAVIT

Project Title: South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork

Greg Souder

(print name)

, being first duly sworn, deposes and says that he/she is the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof the effectuate a collusive or sham bid.

In accordance with Title 23, United States Code, Section 112, the bidder hereby states, under penalty of perjury, that he/she has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this contract. Bidders are cautioned that making a false certification may subject certifier to criminal prosecution.

The undersigned declares under penalty of perjury that the information contained in this proposal and all accompanying documents are true and correct.

Executed on March 11, 2010

O.C. Jones & Sons, Inc.

Legal Company Name

Corporation

Indicate Type of Entity: Sole Proprietorship,
Partnership (General/Limited Partners),
Corporation, Joint Venture, etc.

City Business Lic. No.: 1607090210

Expiration Date: 8/15/10

State Contractor Lic. No.: 759729

Classification: A HAZ

Expiration Date: 3/31/11

Federal I. D. No.: 94-3320164

Address: 1520 Fourth Street

Berkeley, CA 94710

By: Greg Souder

Telephone: 510/526-0990

Title: Greg Souder, Secretary

NOTARY

On 3/9/10

before me,

Heidi Faria, Notary Public

(name and title of officer)

, personally appeared

Greg Souder

who proved to me on the basis of satisfactory evidence to be

the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

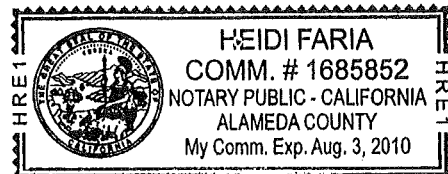
I certify under the PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Heidi Faria

Notary Public

(Seal)



BIDDER'S BOND

KNOW ALL PERSONS BY THESE PRESENTS:

That we, O.C. Jones & Sons, Inc. as PRINCIPAL,
and Liberty Mutual Insurance Company, a corporation duly organized

under the laws of the State of Massachusetts and duly licensed to become sole surety on bonds required or authorized by the State of California, as SURETY, are held and firmly bound unto the City of San Jose (hereinafter called the "City"), in the penal sum of TEN PERCENT (10%) OF THE TOTAL AMOUNT OF THE BID of the Principal above named, submitted by said Principal to the City of San Jose, for the work described below; for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. In no case shall the liability

of the Surety hereunder exceed the sum of Ten Percent of the Total Amount Bid*****

DOLLARS (\$ 10% of Total Amount Bid*****).

THE CONDITION OF THIS OBLIGATION IS SUCH,

That whereas the Principal has submitted the above mentioned bid to the City of San Jose, for certain construction specifically described as follows, for which bids are to be submitted in the Office of the City Clerk, Wing 2nd Floor, New City Hall, San Jose, California on **March 30, 2010** for the **South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork**.

NOW, THEREFORE, if the aforesaid Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to Principal for signature, enters into a written contract, in the prescribed forms, in accordance with the bid, and files a Faithful Performance Bond and a Contractor's Payment Bond, and files the required insurance policies with the City, all as required by the specifications and the contract or by law, then the obligation shall be null and void; otherwise it shall be and remain in full force and effect.

The Surety, for value received, hereby stipulates and agrees that the obligation of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which the Owner may accept such Bid; and said Surety does hereby waive notice of any such extension.

In the event suit is brought upon this bond by the Obligee and judgement is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 30th

 day of March, 20 10.

PRINCIPAL

SURETY

O.C. Jones & Sons, Inc.

Liberty Mutual Insurance Company

Legal Company Name

Legal Company Name

Corporation

Indicate Type of Entity

By: Elizabeth Yoshida
Elizabeth Yoshida Title: Treasurer

By: Kathleen Beck
Kathleen Beck Title: Attorney-in-Fact

By: _____
Title:

By: _____
Title:

(Affix Corporate Seals)

(Attach Acknowledgments of both Principal and Surety signatures)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Alameda

On

3/30/10

Date

before me,

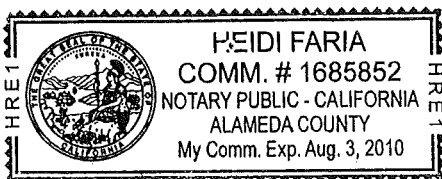
Heidi Faria, Notary Public

Here Insert Name and Title of the Officer

personally appeared

Elizabeth Yoshida

Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Heidi Faria

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Bidder's Bond

Document Date:

3/30/10

Number of Pages:

2

Signer(s) Other Than Named Above:

Kathleen Beck

Capacity(ies) Claimed by Signer(s)

Signer's Name:

Elizabeth Yoshida

☐ Individual

☒ Corporate Officer — Title(s):

Treasurer

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Individual

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint **JAMES C. JENKINS, MICHAEL G. HOGAN, KATHLEEN BECK, BILLY G. BERGAN, PATRICIA L. DREW, JODI ELLINGTON, SUSAN PERAGALLO, ALL OF THE CITY OF CONCORD, STATE OF CALIFORNIA**.....

....., each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding **FIFTY MILLION AND 00/100***** DOLLARS (\$ 50,000,000.00*****)** each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 19th day of November, 2009.

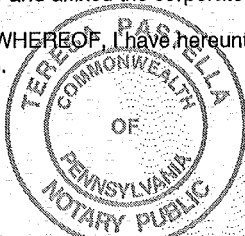
LIBERTY MUTUAL INSURANCE COMPANY

By Garnet W. Elliott
Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 19th day of November, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2013
Member, Pennsylvania Association of Notaries

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 30th day of March, 2010.



By David M. Carey
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

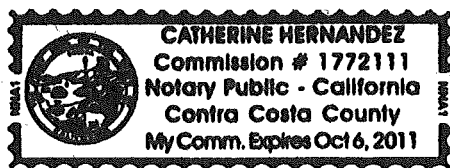
To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California
County of Contra Costa

On March 29, 2010, before me, Catherine Hernandez, Notary Public personally appeared Kathleen Beck

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies) and that by his /her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the following paragraph is true and correct

WITNESS my hand and official seal.

C Hernandez
Signature of Notary Public

Optional

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of attached Document

Title or Type of Document: O.C. Jones & Sons, Inc. Bid Bond to City of San Jose for South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork

Document Date 03/30/2010

Number of Pages: 2

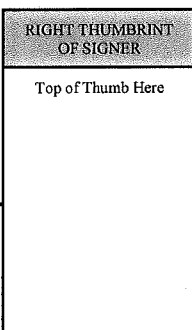
Signer(s) Other Than Named Above: _____

Capacity(ies) claimed by Signer(s)

Signer's Name:

- ☐ Individual
☐ Corporate Officer
Title(s):
☐ Partner-☐ Limited ☐ General
☒ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other : _____

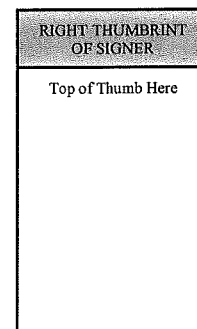
Signer is Representing:
Liberty Mutual Insurance Company



Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
Title(s):
☐ Partner-☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other : _____

Signer is Representing:



List of Subcontractors

Designation of Subcontractors shall be as required in Section 2-1.15A of the City of San Jose Standard Specifications, July 1992.

Bidder: O.C. Jones & Sons, Inc.

[illegible]

**South Bay Advanced
Recycled Water Treatment
Facility Project – Early Earthwork**

List of Subcontractors - 1

**B&V Project No. 146071
January 2010
Issued For Bid**

Mandatory Submittals Requirement & Acknowledgement

San Jose/Santa Clara Water Pollution Control Plant

South Bay Advanced Recycled Water Treatment Facility Project - Early Earthwork

Required Submittal:

1. Safety Records

A. Copy of completed OSHA Form 300A, "Summary of Work-Related Injuries and Illnesses" for most recent calendar year.

B. Copy of communication from contractor's workers' compensation insurance carrier indicating the contractor's "Experience Modifier" (or "ex. Mod").

2. Applicable Certificates

Confined space training certificates for rescuer & crew members and previous experience pertinent to Confined Space work.

OSHA's Form 300A (Rev. 01/2004)

Summary of Work-Related Injuries and Illnesses

All establishments covered by Part 1904 must complete this Summary page, even if no injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are below, making sure you've added the entries from every page of the log. If you had no cases write "0."

Employees former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR 1904.35, in OSHA's Recordkeeping rule, for further details on the access provisions for those

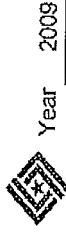
Number of Cases			
Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0 (a)	3 (b)	3 (c)	5 (d)

Number of Days	
Total number of days away from work	Total number of days of job transfer or restriction
159 (e)	87 (f)

Injury and Illness Types					
Total number of...					
(g)					
(1) Injury	11	(4) Poisoning	0		
(2) Skin Disorder	0	(5) Hearing Loss	0		
(3) Respiratory Condition	0	(6) All Other Illnesses	0		

Post this Summary page from February 1 to April 30 of the year following the year covered by the form

Public reporting burden for this collection of information is estimated to average 50 minutes per response, including time to review the instruction, search existing data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistics, Room N-3644, 200 Constitution Ave, NW, Washington, DC 20210. Do not send the completed forms to this office.



Year 2009

U.S. Department of Labor
Occupational Safety and Health Administration

Form-approved OSHA no. 3218-0176

Establishment Information

Your establishment name O.C. Jones & Sons, Inc.
 Street 1520 Fourth Street
 City Berkeley State CA Zip 94710
 Industry description (e.g., Manufacture of motor truck trailers)
Highway and Street Construction
 Standard Industrial Classification (SIC), if known (e.g., SIC 3715)
1 6 1 1

Employment Information

Annual average number of employees 170
 Total hours worked by all employees last year 347836

Sign here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Kelly Kolarider Kelly Kolarider
 Company executive
 Title President
 Date 2/1/2010
 Phone 510-528-3424

JENKINS

INSURANCE GROUP

February 19, 2010

City of San Jose
City Hall
200 E. Santa Clara Street
Wing, 2nd Floor
San Jose, CA 95113

Re: San Jose/Santa Clara Water Pollution Control Plan
South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork

To Whom It May Concern:

Please be advised the our client, O.C. Jones and Sons, Inc. has been assigned the following by Workers' Compensation Insurance Rating Bureau

2010 California Experience Modification Factor – 0.75

Should you have questions please don't hesitate to contact us.

Sincerely,



Jill Shorten, CIC, AAI, CRM
Account Executive/Business Development
Jenkins Insurance Group

js

Statement of Qualifications

The bidder has been engaged in the construction business
under the present business name for 11 years.

The experience of the principles in work of a nature similar to that covered in the proposal extends over a period of 30 years.

The bidder has never failed to satisfactorily complete a contract awarded to him except as follows: (Name any and all exceptions and reasons thereof.)

None

The following contracts have been satisfactorily completed in the last three years for the person, firm or authority indicated, and to whom reference is made: (Name five contracts)

<u>Years</u>	<u>Type of Work</u>	<u>Contract Amount</u>	<u>Location and Whom Performed</u>
2009	Remedial Excavation & Grading	\$190,199	Hayward Area Recreation & Park District Holland Park, San Leandro
2009	Rehabilitate Roadway on Hwy 80, widen median, etc.	\$19,709,425	CA Dept. of Transportation Hwy 80 Barriers-Vallejo
2009	Parking Lot work, ped. walkways, etc.	\$1,050,248	Napa Valley Community College District Transit Mall Parking Lot B-Napa College
2009	Install synthetic athletic field	\$1,538,684	San Jose State University Spartan Stadium Synthetic Turf Improvements
2009	Parking lot grading & paving	\$1,781,987	San Leandro Unified School District San Leandro HS District Parking Lot
2009	AC Paving at Water Treatment Plant	\$299,407	Kiewit Pacific Co. Waterman Water Treatment Plant
2009	AC Paving for Water Treatment Plant	\$433,339	Kiewit Pacific Co. Ellis Creek Water Recycling Facility
2009	Athletic Fields	\$5,179,197	Palo Alto Unified School District Palo Alto & Gunn High Schools
2009	Slurry Seal, striping, fencing, AC Base Repairs	\$388,366	Port of Oakland ValuePark-Oakland Airport

O.C. JONES & SONS, INC. 2009 EQUIPMENT

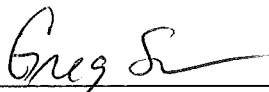
EQUIP TYPE	DESCRIPTION
DOZERS:	CAT D4HXL
	CAT D5HXL
	CAT D6RXL
	CAT D6LGP
	CAT D8N, TD25
BROOMS & SWEEPERS:	BROCE RJ300
SCRAPERS:	CAT 613
	CAT 623
DIRT/ROCK COMPACTORS:	66" PD ROLLER
	84" PD ROLLER
	CAT 815, PACTOR 350
BACKHOES:	JOHN DEERE BACKHOE
	CAT 302 EXCAVATOR
	CAT 308 EXCAVATOR
	CAT 315 EXCAVATOR
	CAT 330 EXCAVATOR
	CAT 345 EXCAVATOR
LOADERS RUBBER TIRED:	JOHN DEERE 210 4WD - 4/1 BUCKET
	BOBCAT SKID-STEER LOADER
	JOHN DEERE 544 - 4/1 BUCKET
	CAT 966/972
LOADERS TRACK:	CAT 963
MOTOR GRADERS:	CAT 140H (LASER EQUIPPED)
	CAT 14H (LASER EQUIPPED)
DIRT/ROCK ROLLERS:	66" SD ROLLER
	84" SD ROLLER
ASPHALT ROLLERS:	42"/47" AC ROLLER
	55" AC ROLLER
	66" AC ROLLER
	84" AC ROLLER
	FERGUSON SP 915 (RUBBER TIRED)
ASPHALT PAVERS:	LEEBOY
	CAT/BLAW KNOX
	PICK-UP MACHINE
TRUCKS:	
	3 TON DUMP TRUCK
	10 WLR
	2500 GALLON WATER TRUCK
	3600 GALLON WATER TRUCK
CRANES:	40 TON RT

ACKNOWLEDGEMENT OF ADDENDA
For
San Jose/Santa Clara Water Pollution Control Plant

South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork

The undersigned Bidder acknowledges the receipt and acceptance of the following addenda:

Addendum No. <u> 1 </u>	Date Issued <u> 2/22/10 </u>
Addendum No. <u> 2 </u>	Date Issued <u> 3/1/10 </u>
Addendum No. <u> 3 </u>	Date Issued <u> 3/4/10 </u>
Addendum No. <u> 4 </u>	Date Issued <u> 3/10/10 </u>
Addendum No. <u> 5 </u>	Date Issued <u> 3/22/10 </u>
Addendum No. <u> 6 </u>	Date Issued <u> 3/24/10 </u>
Addendum No. <u> </u>	Date Issued <u> </u>
Addendum No. <u> </u>	Date Issued <u> </u>
Addendum No. <u> </u>	Date Issued <u> </u>
Addendum No. <u> </u>	Date Issued <u> </u>
Addendum No. <u> </u>	Date Issued <u> </u>



SIGNATURE Greg Souder, Secretary

O.C. Jones & Sons, Inc.
COMPANY

February 22, 2010

**ADDENDUM NO. 1
TO THE PLANS AND SPECIFICATIONS FOR
SOUTH BAY ADVANCED RECYCLED WATER
TREATMENT FACILITY PROJECT – EARLY EARTHWORK**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made part of, and incorporated into the Plans and Specifications for South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork.

REVISION TO THE PROJECT PLANS AND SPECIFICATIONS:

The bid opening date has been moved to Thursday, March 4, 2010.

IMPORTANT

THIS ADDENDUM SHOULD BE ACKNOWLEDGED WHEN YOUR BID IS SUBMITTED. FAILURE TO ACKNOWLEDGE THE ADDENDUM MAY CONSTITUTE GROUNDS FOR REJECTION OF BID.

Submit this Addendum #1 package with your bid proposal.

The bidder must sign this addendum in the space provided below and return one signed copy of THIS SHEET with the bid. Failure to return the signed copy with the bid documents shall not relieve the bidder of the obligation to include this addendum in the bid proposal.

O.C. Jones & Sons, Inc.
Bidder's Name

Greg S.
Signature and Title of Bidder
Greg Souder, Secretary

3/11/10
Date

Approved by:

Bh
Bhavani Yerrapotu
Division Manager, Technical Support Services
SJ/SC Water Pollution Control Plant

THIS ADDENDUM CONTAINS 1 PAGE(S),
INCLUDING THIS COVER PAGE

March 1, 2010

**ADDENDUM NO. 2
TO THE PLANS AND SPECIFICATIONS FOR
SOUTH BAY ADVANCED RECYCLED WATER
TREATMENT FACILITY PROJECT – EARLY EARTHWORK**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made part of, and incorporated into the Plans and Specifications for South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork.

REVISION TO THE PROJECT PLANS AND SPECIFICATIONS:

The bid opening date has been moved to Thursday, March 11, 2010.


IMPORTANT

THIS ADDENDUM SHOULD BE ACKNOWLEDGED WHEN YOUR BID IS SUBMITTED. FAILURE TO ACKNOWLEDGE THE ADDENDUM MAY CONSTITUTE GROUNDS FOR REJECTION OF BID.

Submit this Addendum #2 package with your bid proposal.


The bidder must sign this addendum in the space provided below and return one signed copy of THIS SHEET with the bid. Failure to return the signed copy with the bid documents shall not relieve the bidder of the obligation to include this addendum in the bid proposal.

O.C. Jones & Sons, Inc.
Bidder's Name


Signature and Title of Bidder
Greg Souder, Secretary

3/11/10
Date

Approved by:


Bhavani Yerrapotu
Division Manager, Technical Support Services
SJ/SC Water Pollution Control Plant

THIS ADDENDUM CONTAINS 1 PAGE(S),
INCLUDING THIS COVER PAGE.

March 4, 2010

**ADDENDUM NO. 3
TO**

**THE PLANS AND SPECIFICATIONS
FOR
SOUTH BAY ADVANCED RECYCLED WATER TREATMENT
FACILITY PROJECT – EARLY EARTHWORK**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made of, and incorporated into the Plans and Specifications for the **SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY PROJECT – EARLY EARTHWORK**

IMPORTANT

**THIS ADDENDUM MUST BE ACKNOWLEDGED WHEN YOUR BID IS SUBMITTED.
FAILURE TO ACKNOWLEDGE THE ADDENDUM MAY CONSTITUTE GROUNDS
FOR REJECTION OF THE BID.**

INSTRUCTIONS:

This Addendum No. 3, pages 1 through 42 including attachments, modifies the Bidding Documents for the **SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY PROJECT – EARLY EARTHWORK**, and shall become part of the Contract Documents for this Project.

The Contract Time is not changed.

Submit this Addendum #3 package with your bid proposal.

The bidder must sign this addendum in the space provided below and return one signed copy with the bid. Failure to return the signed copy with the bid document shall not relieve the bidder of the obligation to include this addendum in the bid proposal.

O.C. Jones & Sons, Inc.
Bidder's Name

Approved by:


Signature and Title of Bidder

Greg Souder, Secretary


Bhavani Yerrapotu, P.E.

Division Manager, Technical Support Services
SJ/SC Water Pollution Control Plant

3/11/10
Date

THIS ADDENDUM CONTAINS FORTY-TWO (42) PAGES

March 10, 2010

**ADDENDUM NO. 4
TO THE PLANS AND SPECIFICATIONS FOR
SOUTH BAY ADVANCED RECYCLED WATER
TREATMENT FACILITY PROJECT – EARLY EARTHWORK**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made part of, and incorporated into the Plans and Specifications for South Bay Advanced Recycled Water Treatment Facility Project – Early Earthwork.

REVISION TO THE PROJECT PLANS AND SPECIFICATIONS:

The bid opening date has been moved to Thursday, March 25, 2010.

IMPORTANT

THIS ADDENDUM SHOULD BE ACKNOWLEDGED WHEN YOUR BID IS SUBMITTED. FAILURE TO ACKNOWLEDGE THE ADDENDUM MAY CONSTITUTE GROUNDS FOR REJECTION OF BID.

Submit this Addendum #4 package with your bid proposal.

The bidder must sign this addendum in the space provided below and return one signed copy of THIS SHEET with the bid. Failure to return the signed copy with the bid documents shall not relieve the bidder of the obligation to include this addendum in the bid proposal.

O.C. Jones & Sons, Inc.
Bidder's Name

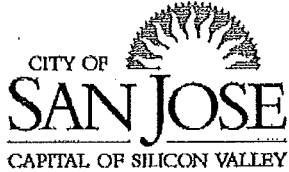
Greg Souder
Signature and Title of Bidder
Greg Souder, Secretary

3/25/10
Date

Approved by:

Bhavan Yerrapotu
Bhavan Yerrapotu
Division Manager, Technical Support Services
SJ/SC Water Pollution Control Plant

THIS ADDENDUM CONTAINS 1 PAGE(S),
INCLUDING THIS COVER PAGE.



Environmental Services Department

SAN JOSE/SANTA CLARA WATER POLLUTION CONTROL PLANT

March 22, 2010

**ADDENDUM NO. 5
TO
THE PLANS AND SPECIFICATIONS
FOR
SOUTH BAY ADVANCED RECYCLED WATER TREATMENT
FACILITY PROJECT – EARLY EARTHWORK**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made of, and incorporated into the Plans and Specifications for the **SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY PROJECT – EARLY EARTHWORK**

IMPORTANT

THIS ADDENDUM MUST BE ACKNOWLEDGED WHEN YOUR BID IS SUBMITTED. FAILURE TO ACKNOWLEDGE THE ADDENDUM MAY CONSTITUTE GROUNDS FOR REJECTION OF THE BID.

INSTRUCTIONS:


This Addendum No. 5, pages 1 through 6, and attachments modifies the Bidding Documents for the SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY PROJECT – EARLY EARTHWORK, and shall become part of the Contract Documents for this Project.

The Contract Time is not changed

Submit this Addendum #5 package with your bid proposal.

The bidder must sign this addendum in the space provided below and return one signed copy with the bid. Failure to return the signed copy with the bid document shall not relieve the bidder of the obligation to include this addendum in the bid proposal.

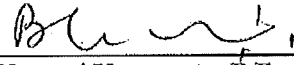
O.C. Jones & Sons, Inc.
Bidder's Name


Signature and Title of Bidder
Greg Souder, Secretary

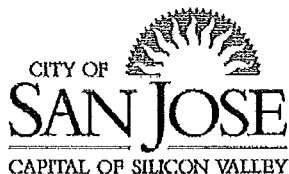
3/25/10

Date

Approved by:


Bhavani Yerrapotu, P.E.
Division Manager, Technical Support Services
SJ/SC Water Pollution Control Plant

THIS ADDENDUM CONTAINS SIX (6) PAGES
PLUS ATTACHMENTS TWO (2) PAGES



Environmental Services Department

SAN JOSE/SANTA CLARA WATER POLLUTION CONTROL PLANT

March 24, 2010

ADDENDUM NO. 6

TO

THE PLANS AND SPECIFICATIONS

FOR

**SOUTH BAY ADVANCED RECYCLED WATER TREATMENT
FACILITY PROJECT - EARLY EARTHWORK**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made of, and incorporated into the Plans and Specifications for the **SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY PROJECT - EARLY EARTHWORK**

IMPORTANT

THIS ADDENDUM MUST BE ACKNOWLEDGED WHEN YOUR BID IS SUBMITTED. FAILURE TO ACKNOWLEDGE THE ADDENDUM MAY CONSTITUTE GROUNDS FOR REJECTION OF THE BID.

INSTRUCTIONS:

This Addendum No. 6, pages 1 through 4, and attachments modifies the Bidding Documents for the **SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY PROJECT - EARLY EARTHWORK**, and shall become part of the Contract Documents for this Project.

The Bid Opening Date has been changed to 3:00 p.m., March 30, 2010.
The Contract Time is not changed.

Submit this Addendum #6 package with your bid proposal.

The bidder must sign this addendum in the space provided below and return one signed copy with the bid. Failure to return the signed copy with the bid document shall not relieve the bidder of the obligation to include this addendum in the bid proposal.

O.C. Jones & Sons, Inc.
Bidder's Name

Greg Souder
Signature and Title of Bidder
Greg Souder, Secretary

3/30/10
Date

Approved by:

Bhavya Yerrapotu
Bhavya Yerrapotu, P.E.
Division Manager, Technical Support Services
SJ/SC Water Pollution Control Plant

**THIS ADDENDUM CONTAINS FOUR (4) PAGES PLUS
ATTACHMENTS TWO (2) PAGES**